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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,376	10/31/2003	Deia Salah-Eldin Bayoumi	ABDT-0579/B030290	3028

23377 7590 03/27/2006  
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EXAMINER

GARLAND, STEVEN R

ART UNIT PAPER NUMBER

2125

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/699,376

Applicant(s)

BAYOUMI ET AL.

Examiner

Steven R. Garland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/31/03, 3/4/04, 5/14/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/4/04, 5/14/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-20 are pending.
2. Claim 20 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 20 depends on itself. It is assumed that applicant intended claim 20 to depend on claim 19.
3. The disclosure is objected to because of the following informalities: in numbered paragraph (0032), line 5, "115" should be changed to -- 115a--. In claim 15, line 1, "bottleneck" should be deleted, since no actual bottleneck information is displayed in the body of the claim. Also in claim 19, line 2, "the status" should be changed to -- a status--.

Appropriate correction is required.

4. The drawings are objected to because in figure 3, in the boxes with the dark background the text in the block is hard to read and in the case of the text below "aspect integrator platform" it is unreadable. It also appears that "Aspect" should be -- Application", note paragraph (0038). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be

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removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "334" has been used to designate both manual machines and automated machines. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The information disclosure statement(s) submitted 3/4/04 and 5/14/04 have considered to the extent indicated. Any documents that have been crossed out as not

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being considered were missing from the submitted documents or in the case of non-English document item 31, which appears to be Russian, no explanation of its relevance. The information disclosure statement filed 3/4/04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It is also noted that items 28 and 30 are duplicates of items 8 and 13 respectively on the information disclosure statement submitted 3/4/04.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Various terms lack a proper antecedent basis and examples are given below.

Claim 1 recites the limitation ""said application integration platform" in line 4, it is suggested that "said" be changed to --an--. There is insufficient antecedent basis for this limitation in the claim.

In claim 8, line 2, "the other cooperating manufacturing systems" lacks a clear antecedent basis.

In claim 9, line 1, "said graphical user interface" lacks a proper antecedent basis. It is suggested that the "a user interface" in claim 7, line 7 be changed to -- a graphical user interface--. Claim 14 has a similar problem.

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Claim 10, line 4, "the Internet" and "the wireless Internet" both lack a proper antecedent basis. It is also uncertain what the difference is between the these two terms.

Claim 13, line 1, " the data store" lacks a proper antecedent basis. It is suggested that "data store" be changed to --database--.

The remaining claims fall with the parent claims.

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. Claims 1-5, and 7-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eryurek et al. 6,965,806.

Eryurek et al. 6,965,806 teaches a management and control system which allows integration of various types of information , display of the information on a

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graphical user interface ( fig. 8 for example) , and performing control functions (abstract). Eryurek further teaches use of a LAN and/or WAN (fig.1, col. 6, line 60 to col. 7, line 9); use of interface routines (58 in fig.2), operator modifying controls ( col. 1, lines 16-40; col. 9, lines 5-11; col. 10, lines 45-49), use of the Internet and status information ( col. 2, lines 50-67), and sharing information among various types of systems such as control and business systems. Eryurek teaches an engine and application integration platform (30, 50) which receives plural types of data, storing the platform ( col. 8, line 36-37; col. 36, lines 40-63), use of enterprise resource planning ( col. 8, lines 1-13; col. 12, lines 47-61), use of data bases ( col. 18, lines 45-48; col. 35, lines 1-2; figs.1,2 ) and allowing display of various types of data depending on the user needs such as over a time or date interval, status, operator, materials, etc.. ( note col. 7, line 36 to col. 10, line 49, figs. 4,13, 15, 19,27). See the abstract; figures; col. 1, line 16 to col. 2, line 53; col. 3, line 34 to col. 4, line 67; col. 6, lines 29-67; col. 7, line 36 to col. 11, line 8; col. 11, line 43-46; col. 12, lines 27-61; col. 13, lines 1-29; col. 14, line 12 to col. 15, line 18; col. 18, lines 28-57; col. 23, line 9 on. Note col. 26, line 1 on in regards to the graphic user interface.

Eryurek however does not specifically state that the graphical user interface performs a control function, but does teach allowing it to perform such a function. ( col. 9, lines 5-11; col. 10, lines 45-49 )

It would have been obvious to one of ordinary skill in the art to modify the graphical user interface of Eryurek to not only perform a display function, but to also perform a control function over the plant elements in view of the teaching of Eryurek.

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This would allow the use of a single interface for multiple functions including both display and control and also allow the interface to act as a redundant interface in case of another operator interface fails or is unavailable.

12. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eryurek et al. 6,965,806 as applied to claims 1-5, and 7-20 above, and further in view of Hagen et al. 6,748,287.

Eryurek et al. 6,965,806 teaches a management and control system which allows integration of various types of information, display of the information on a graphical user interface (fig. 8 for example), and performing control functions (abstract). Eryurek further teaches use of a LAN and/or WAN (fig.1, col. 6, line 60 to col. 7, line 9); use of interface routines (58 in fig.2), operator modifying controls (col. 1, lines 16-40; col. 9, lines 5-11; col. 10, lines 45-49), use of the Internet and status information (col. 2, lines 50-67), and sharing information among various types of systems such as control and business systems. Eryurek teaches an engine and application integration platform (30, 50) which receives plural types of data, storing the platform (col. 8, line 36-37; col. 36, lines 40-63), use of enterprise resource planning (col. 8, lines 1-13; col. 12, lines 47-61), use of data bases (col. 18, lines 45-48; col. 35, lines 1-2; figs.1,2) and allows display of various types of data depending on the user needs such as over a time or date interval, status, operator, materials, etc.. (note col. 7, line 36 to col. 10, line 49, figs. 4,13, 15, 19,27). See the abstract; figures; col. 1, line 16 to col. 2, line 53; col. 3, line 34 to col. 4, line 67; col. 6, lines 29-67; col. 7, line 36 to col. 11, line 8; col. 11, line 43-46; col. 12, lines 27-61; col. 13, lines 1-29; col. 14, line 12



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to col. 15, line 18; col. 18, lines 28-57; col. 23, line 9 on. Note col. 26, line 1 on in regards to the graphic user interface.

Eryurek however does not specifically state that the graphical user interface performs a control function, but does teach allowing it to perform such a function. ( col. 9, lines 5-11; col. 10, lines 45-49 )

It would have been obvious to one of ordinary skill in the art to modify the graphical user interface of Eryurek to not only perform a display function, but to also perform a control function over the plant elements in view of the teaching of Eryurek. This would allow the use of a single interface for multiple functions including both display and control and also allow the interface to act as a redundant interface in case of another operator interface fails or is unavailable.

Eryurek however does not teach tracking work in progress, but does teach that the main purpose of the invention is to integrate data in various forms and which allows supplies to ordered if required. Note title; col. 8, lines 1-13 and 36-58; col. 10, lines 17-49.

Hagen et al. 6,748,287 teaches the use of work in progress tracking. See the abstract; col. lines 19-25.

It would have been obvious to one of ordinary skill in the art to modify Eryurek in view of Hagen to monitor and track the work in progress so that supplies could be ordered at the proper time and be on hand when required.

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. van Weele et al. 5,631,825 is of interest in control; Pierre et al.

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2005/0060048, Yigit et al. 2005/00400223 and 2006/0031840 are all of interest in use of an application integration platform; Motai et al. 5,644,493 is of interest in integrating information.

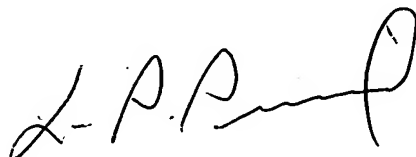
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Garland whose telephone number is 571-272-3741. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo Picard can be reached on 571-272-3749. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SRL

Steven R Garland  
Examiner  
Art Unit 2125



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